

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

VICTOR DILLON,

Plaintiff,

v.

OFFICER EDWARD L. BRYAN AND
OFFICER B. BURTON #15963,
Individually,

Defendant.

Cas

JUDGE

DOCKETED
NOV 7 5 2000

JUDGE NORGLÉ

FILED-ED4
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U.S. DISTRICT COURT

COMPLAINT

MAGISTRATE JUDGE BOBRICK

NOW COMES the Plaintiff, VICTOR DILLON, by and through his attorneys,
GREGORY E. KULIS AND ASSOCIATES, and complaining against the Defendants,
EDWARD L. BRYAN and B. BURTON #15963, Individually as follows:

COUNT I – EXCESSIVE FORCE

- 1) This action is brought pursuant to 42 U.S.C. §1983 and §1988 of the United States Constitution and the laws of the State of Illinois;
- 2) Jurisdiction is invoked under 28 U.S.C. §1331 and §1343;
- 3) The Plaintiff, VICTOR DILLON, was at all relevant times, a resident of the State of Illinois, County of Cook;
- 4) The Defendants were at all relevant times acting as police officers pursuant to the customs and policies of the City of Chicago;
- 5) At all relevant times the Defendants were acting under color of law;
- 6) On or about August 1, 2000, the Plaintiff was in the vicinity of 3544 S. State when the Defendants stopped him.
- 7) The Plaintiff, VICTOR DILLON was not committing a crime or breaking

any laws at the time.

8) Without provocation, the Defendants struck him in the face.

9) The force used was unprovoked, unnecessary and excessive;

10) As a result of the actions of the Defendants, the Plaintiff incurred pain, suffering, fear, anxiety, monetary loss and a permanent scar.

11) Said actions of the Defendants violated Plaintiff, VICTOR DILLON'S Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights protected by 42 U.S.C. § 1983;

12) The actions of the Defendants were intentional, willful and wanton.

WHEREFORE, the Plaintiff, VICTOR DILLON, prays for judgment in his favor and against the Defendants, in the amount of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS compensatory damages and TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS in punitive damages, plus reasonable attorneys' fees and costs.

JURY DEMAND

The Plaintiff, VICTOR DILLON, hereby requests trial by jury.

Respectfully submitted,
VICTOR DILLON

By: 
GREGORY E. KULIS AND ASSOCIATES
Attorneys for the Plaintiff

GREGORY E. KULIS AND ASSOCIATES
30 North LaSalle Street, Suite 2140
Chicago, Illinois 60602
(312) 580-1830

JS 44
(Rev. 12/96)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

VICTOR DILLON

JUDGE NORGLÉ

MAGISTRATE JUDGE ROBBICK

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Cook
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

OFFICER EDWARD L. BRYAN AND
OFFICER B. BURTON #15963.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Cook
(IN U.S. PLAINTIFF CASES ONLY)
NOTICE: IN U.S. PLAINTIFF CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

GREGORY E. KULIS & ASSOCIATES
30 N. LaSalle Street, Suite 2140
Chicago, Illinois 60602

ATTORNEYS (IF KNOWN)

leaf 2.

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XV <input type="checkbox"/> 865 RS (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Eminent Domain <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE.
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

VIOLATION OF 42 U.S.C. Section 1983

VII. REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint

JURY DEMAND: ☒ YES ☐ NOVIII. This case ☒ is not a refiling of a previously dismissed action.☐ is a refiling of case number _____ previously dismissed by Judge _____

DATE

11/14/00

SIGNATURE OF ATTORNEY OF RECORD

Gregory E. Kulis

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

In the Matter of VICTOR DILLON,
 Plaintiff,

v.
 OFFICER EDWARD L. BRYAN AND OFFICER
 B. BURTON #15963, Individually,
 Defendants.

Case No.

00C 7145

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Victor Dillon

DOCKETED

JUDGE NORGLE

NOV 15 2000

(A)	(B)
SIGNATURE <i>Gregory E. Kulis</i>	SIGNATURE <i>Kathleen Coyne Ropka</i>
NAME Gregory E. Kulis	NAME Kathleen Coyne Ropka
FIRM Gregory E. Kulis and Associates	FIRM Gregory E. Kulis and Associates
STREET ADDRESS 30 N. LaSalle Street, Suite 2140	STREET ADDRESS 30 N. LaSalle Street, Suite 2140
CITY/STATE/ZIP Chicago, Illinois 60602	CITY/STATE/ZIP Chicago, Illinois 60602
TELEPHONE NUMBER 312/580-1830	TELEPHONE NUMBER 312/580-1830
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) state of Illinois 6180966	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>
(C)	(D)
SIGNATURE <i>Shahnaz I. Mansuri</i>	SIGNATURE
NAME Shahnaz I. Mansuri	NAME
FIRM Gregory E. Kulis and Associates	FIRM
STREET ADDRESS 30 N. LaSalle Street, Suite 2140	STREET ADDRESS
CITY/STATE/ZIP Chicago, Illinois 60602	CITY/STATE/ZIP
TELEPHONE NUMBER 312/580-1830	TELEPHONE NUMBER
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TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.